

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

DERRICK GREATHOUSE,

Plaintiff,

v.

Civil Action No. 2:16-CV-6205

UNITED STATES OF AMERICA,

Defendant.

MEMORANDUM OPINION AND ORDER

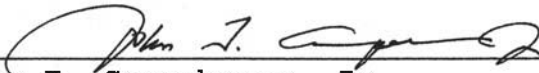
The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on April 19, 2019; and the magistrate judge having recommended that the court find that plaintiff's complaint fails to state a claim upon which relief can be granted inasmuch as the complaint is barred by the doctrine of res judicata and that his application to proceed without prepayment of fees and costs be denied as moot; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that the findings and recommendation made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein.

It is, therefore, ORDERED that the plaintiff's complaint be, and it hereby is, dismissed. It is further

ORDERED that plaintiff's application to proceed without prepayment of fees and costs be, and it hereby is, denied as moot.

The Clerk is directed to forward copies of this written opinion and order to the plaintiff, all counsel of record, and the United States Magistrate Judge.

ENTER: May 10, 2019



John T. Copenhaver, Jr.
Senior United States District Judge